IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 111 of 2005
in
Notice of Motion No.2644 of 2004
in
Suit No. 2607 of 1996

Datamatics Limited ..Appellants

vs.

1. Mr.Sunil Coutinho & anr. ..Respondents

Mr.Cyrus Ardeshir i/b Mrs.Chhaya Shah for appellants
Mr.Rajesh Kachare with Mr.Y.A.Chaudhary for respondent no.2.

CORAM: A.P.SHAH &
S.J.VAZIFDAR JJ.
24th February,2005

P.C.

1. Heard Advocates.

2. In the facts and circumstances of the case, the learned single Judge was right in setting aside the exparte order. No interference is called for. Appeal is dismissed.

3. Respondent no.2 waives service of the writ of summons and undertakes to file written statement within 8 weeks from today.